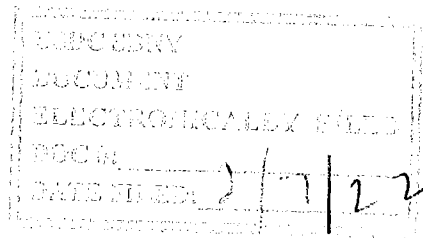


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JOSEPH J. GENTILE,  
Plaintiff,

v.

ACTING COMMISSIONER ANTHONY J.  
ANNUCCI; SUPERINTENDENT EDWARD  
BURNETT; DEP. OF PROGRAMS JOHN  
WOOD; ASST DEP. OF PROGRAMS LUIS  
GONZALES; and L.M.S.W. FUEZ,  
Defendants.  
-----X



**ORDER**

21 CV 3405 (VB)

2/7/22  
Copies Mailed/Faxed  
Chambers of Vincent L. Briccetti

On February 7, 2022, the Court received the attached letter from plaintiff, who is incarcerated and proceeding pro se and in forma pauperis. Plaintiff states, "I move to withdraw the above mentioned action."

The Court construes plaintiff's letter as a notice of voluntary dismissal without prejudice pursuant to Rule 41(a)(1)(A)(i).

The notice is so ordered and the case is DISMISSED. All deadlines, scheduled conferences, or other scheduled court appearances are cancelled. Any pending motions are moot.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

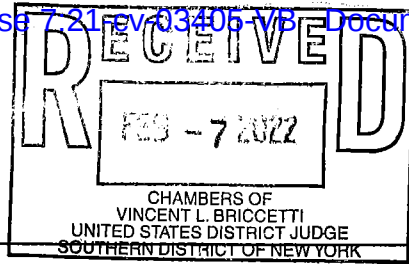
Chambers will mail a copy of this Order to plaintiff at the address on the docket.

The Clerk is instructed to close the case.

Dated: February 7, 2022  
White Plains, NY

SO ORDERED:

Vincent L. Briccetti  
United States District Judge



February 1, 2022

Re "Gentile v. Annucci" 21-cv-3405 (VB)

To Honorable Judge Vincent L Briccetti

Most Respectfully your honor.

I move to withdraw the above mentioned action

Respectfully  
Submitted

Joseph J. Gentile Jr.  
28 U.S.C. § 1746  
Joseph J. Gentile Jr.

cc: Gee Won Cha AAG  
28 liberty street  
NY, NY 10005